

REMARKS

This Amendment is responsive to the Office Action of October 9, 2007. Reconsideration and allowance of claims 3-6, 10-15, and 18-19 are requested.

The Office Action

Claims 3-6, 8-10, and 19 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hatakeyama (JP 09-330175) in view of Natoli (US 6,388,657).

Claims 11, 12, 15, and 18 stand rejected under 35 U.S.C. § 102 as being anticipated by Hatakeyama.

Claim 13 stands rejected under 35 U.S.C. § 103 as being unpatentable over Hatakeyama in view of Gantenbein (IBM Technical Book Disclosure Bulletin).

Claim 14 stands rejected under 35 U.S.C. § 112, second paragraph, and under 35 U.S.C. § 103 as being unpatentable over Hatakeyama in view of Gantenbein.

The Present Amendment Should Be Entered

First, the Finality of the Office Action of October 9, 2007 is premature. In preceding Amendment B, the applicant placed claim 8 in independent form including the subject matter of its parent claims 1, 2, and 7. Because claim 8 was merely placed in independent form and not further limited or amended, it is submitted that the citation of a new ground of rejection and the citation of the previously uncited Natoli reference was not necessitated by Amendment B. Because the new ground of rejection was not necessitated by applicant's amendment, it is submitted that the Finality of the Office Action of October 9, 2007 should be withdrawn and the present amendment entered.

Second, the present amendment raises no issues that would require further search or consideration. The present amendment proposes to place claim 10 in independent form including subject matter of its parent claims 8 and 9. No new limitations have been added that would require further search. Indeed, unnecessary limitations have been eliminated to focus more clearly on the subject matter of claim 10. Moreover, claims 8, 9, and 10 currently stand rejected on the same ground of rejection. Accordingly, combining these claims while adding no additional limitations and deleting unnecessary limitations will not require further consideration

or the writing of a new or revised grounds of rejection. Accordingly, it is submitted that this amendment placing claim 10 in independent form including subject matter from its parent claims 8 and 9 should be entered as requiring no further search or consideration.

Amending claims 3-6 and 19 to depend from claim 10 require no further search or consideration. Claims 3-6 and 19 currently stand rejected on the same ground of rejection as claim 10. Accordingly no further search is required, no further consideration is required, and the Examiner need make no new ground of rejection.

The amendment to claim 14 is made to resolve the 35 U.S.C. § 112, second paragraph, rejection. Because the rejecting of claims 13 and 14 on the same grounds suggests that the Examiner, in the last Office Action, treated claim 14 as if it had already been amended as proposed in the present amendment.

The amendments to claims 11 and 18 should be entered as placing the application in condition for allowance.

The Claims Are Allowable Over Hatakeyama

From the Examiner's Response to Arguments, it appears that the applicant and the Examiner are both interpreting Hatakeyama in the same way. Specifically, when the user first places their hands on the touch sensitive surface, Hatakeyama generates and displays a keyboard based on the rest position of the fingers. Once the keyboard is defined, then the keystroke is recognized by determining the location or square of the predefined keyboard in which force is applied. The user can type on the Hatakeyama keyboard using standard touch typing techniques or, because the keyboard is defined and displayed, by using the hunt and peck typing method. Moreover, like a standard physical keyboard, if the typist moves the fingers of one or both hands to a different position (e.g., a row higher, one letter to the left or right, or the like), then the keystrokes will be recognized based on the preassigned square of the keyboard, causing a large number of typographical errors.

As set forth in the independent claims of the present application, a keystroke is not recognized based on the location on the touch sensitive screen at which the higher force is applied. Rather, the keystroke is recognized by the position of the higher force touching relative to the zones touched by other fingers with lower

force. In this manner, when the typist moves or slides one or both hands during typing, the stroke recognition means recognizes the typist's intention and recognizes the correct keystrokes, without the numerous typos which would occur in Hatakeyama. Because claim 10 calls for a different apparatus which achieves different results, it is submitted that claim 10 and claims 3-6 and 19 dependent therefrom distinguish patentably and unobviously over the references of record.

In reviewing the Examiner's Response to Arguments, the Examiner argues that the keystroke recognition is based on the location of the fingers at a prior time, i.e., when the fingers are first placed on the keyboard. To address this argument and to emphasize the differences between the present claims and the prior art, independent claims 11 and 18 have been amended to emphasize that the keystroke is recognized by analyzing the relative position of the zone touched with higher force with respect to a position of at least one other zone concurrently touched with a lower force. As interpreted by the Examiner in the Response to Arguments, Hatakeyama does not meet the concurrent limitation.

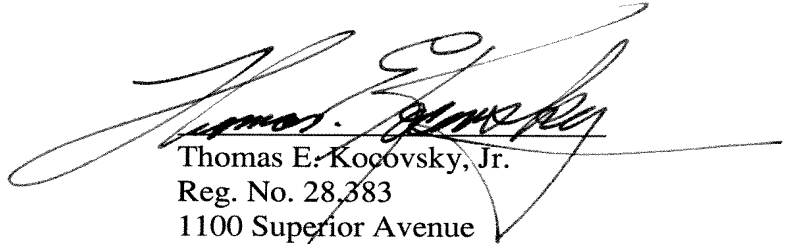
Accordingly, it is submitted that claims 11-15 and 18 are not anticipated by and distinguish patentably over the references of record.

CONCLUSION

For the reasons set forth above, it is submitted that claims 3-6, 10-15, and 18-19 are not anticipated by and distinguish patentably over the references of record. An early allowance of all claims is requested.

Respectfully submitted,

FAY SHARPE LLP



Thomas E. Kocovsky, Jr.
Reg. No. 28,383
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2579
(216) 861-5582

Direct All Correspondence to:
Yan Glickberg, Reg. No. 51,742
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
(440) 483-3455 (tel)
(440) 483-2452 (fax)

L:\HMM\DATA\2007\PKRX200035.AMN-AF.DOC